

**SUPREME COURT MINUTES
MONDAY, JANUARY 23, 2012
SAN FRANCISCO, CALIFORNIA**

S183523 A125567 First Appellate District, Div. 2 **ROSSA (STEVE) v. D.L. FALK
CONSTRUCTION, INC.**

Opinion filed: Judgment affirmed in full

We hold that rule 8.278(d)(1)(F) does not authorize an award of costs for interest expenses and fees incurred to borrow funds to deposit as security for a letter of credit that was procured to secure an appeal bond, and we affirm the judgment of the Court of Appeal.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S184665 F056605 Fifth Appellate District **PEOPLE v. MIL, JR.,
(EDUARDO)**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed to the extent it affirmed the jury's true findings on the special circumstances of murder in the commission of a robbery and burglary (Pen. Code, § 190.2, subd. (a)(17)(A) & (G)) and the sentence of life imprisonment without the possibility of parole, and is otherwise affirmed. The matter is remanded to the Court of Appeal with directions to remand to the trial court for resentencing or retrial on the issue of the special circumstances at the option of the prosecuting attorney. (See *People v. Roy* (1989) 207 Cal.App.3d 642, 656.)

Majority Opinion by Baxter, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Werdegarr, Chin, Corrigan, and Liu, JJ.

S099274 **PEOPLE v. BROOKS
(DONALD LEWIS)**

Extension of time granted

Good cause appearing, and based upon counsel John L. Staley's representation that he anticipates filing the reply brief by March 1, 2012, counsel's request for an extension of time in which to file that brief is granted to March 1, 2012. After that date, no further extension is contemplated.

S193602 **GEIER (CHRISTOPHER A.)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by

June 1, 2012, counsel's request for an extension of time in which to file that document is granted to March 20, 2012. After that date, only two further extensions totaling about 70 additional days are contemplated.

S195600 B222615 Second Appellate District, Div. 5 **PEOPLE v. CARBAJAL
(VALENTIN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 31, 2012.

S196200 A125542 First Appellate District, Div. 2 **PEOPLE v. BUZA (MARK)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to February 21, 2012.

S197493 B224042 Second Appellate District, Div. 2 **PEOPLE v. LE (RICHEL
QUANG)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to February 20, 2012.

S198616 D056361 Fourth Appellate District, Div. 1 **IN RE CIPRO CASES I & II**

Extension of time granted

On application of appellant, Karyn McGaughey, and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition for review is extended to January 30, 2012.

S199118 **BATTERHAM (SARA) v. S.C.
(BALL)**

Transferred to Court of Appeal, Third Appellate District

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District.

S199138 **CERVANTES (CESAR
OCHOA) v. ALLISON
(KATHY)/(PEOPLE)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District.

